

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

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2005 APR 14 A 11:18

US
DISTRICT

DIRECTV, INC.,

Plaintiff,

vs.

Daniel Barber, David Bonow and
Greg Bush,

Defendants.

Supplemental
REPORT AND RECOMMENDATION
(AS TO DEFENDANT BONOW)

C.A. No.: 2:04-2164-18

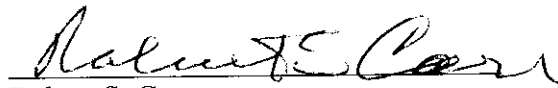
This matter is before the undersigned United States Magistrate Judge in accord with 28 U.S.C. § 636 and the local rules of this court for consideration of the plaintiff's request for damages. *This Report and Recommendation is Supplemental to the Report and Recommendation filed herein on January 13, 2005 (Exhibit #14) RGE*
On November 10, 2004, based upon an affidavit of default submitted by the plaintiff, the Clerk of Court entered default as to defendant David Bonow. On April 13, 2005, a hearing was held to determine the amount of damages, if any, to which the plaintiff is entitled. The defendant was given notice of the hearing, and appeared. *Mr. Bonow admitted purchasing the services but asserted it did not work. RGE*

In support of its claims for damages the plaintiff presented by way of affidavit claims of \$851.92 in attorneys' fees, \$65.00 in costs, and \$10,000.00 in statutory damages in accord with 18 U.S.C. § 2511. Also the plaintiff submitted its claim for a permanent injunction against defendant David Bonow prohibiting the defendant from committing or assisting in the commission of any violation of 18 U.S.C. § 2511.

Accordingly, it is recommended that pursuant to Rule 54(b) of the Federal Rules of Civil Procedure this court enter its order finding the defendant David Bonow in default, awarding the

plaintiff judgment in the amount of \$10,916.92 and permanently enjoining the defendant from committing or assisting in the commission of any violation of 18 U.S.C. § 2511 and § 2520.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert S. Carr", written over a horizontal line.

Robert S. Carr
United States Magistrate Judge

Charleston, South Carolina

April 13, 2005